

Practitioner's Docket No. 46700-5004-10

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Alaia et al.

Application No.: 0 /

Group No.: Not yet known

Filed: 04/11/01

Examiner: Not yet known

For: Method and System for Controlling Electronic Auctions

Assistant Commissioner for Patents
Washington, D.C. 20231

APPLICATION DATA SHEET

37 C.F.R. § 1.76

NOTE: 37 C.F.R. § 1.76(a): "Application data sheet. An application data sheet is a sheet or sheets, that may be voluntarily submitted in either provisional or nonprovisional applications, which contains bibliographic data, arranged in a format specified by the Office. If an application data sheet is provided, the application data sheet is part of the provisional or nonprovisional application for which it has been submitted."

BIBLIOGRAPHIC DATA

1. Applicant information

NOTE: 37 C.F.R. § 1.76(b)(1): "(1) Applicant information. This information includes the name, residence, mailing address, and citizenship of each applicant (§ 1.41(b)). The name of each applicant must include the family name, and at least one given name without abbreviation together with any other given name or initial. If the applicant is not an inventor, this information also includes the applicant's authority (§§ 1.42, 1.43, and 1.47) to apply for the patent on behalf of the inventor."

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents and Trademarks, Washington, D.C. 20231

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10*

☐ with sufficient postage as first class mail.

☒ as "Express Mail Post Office to Addressee"
Mailing Label No. EL524687755US (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office (703)

Signature

Date: April 11, 2001

Daniel H. Golub
(type or print name of person certifying)

First applicant:

Marc Alaia
GIVEN NAME MIDDLE INITIAL OR NAME FAMILY (OR LAST NAME)
Citizenship U.S.A.
Residence 113 Grandview Avenue
Glenshaw, Pennsylvania 15116

Second applicant, (if any)

David J. Becker
GIVEN NAME MIDDLE INITIAL OR NAME FAMILY (OR LAST NAME)
Citizenship U.S.A.
Residence 22 Sewickley Hills Drive
Sewickley, Pennsylvania 15143

Third applicant, (if any)

Anthony F. Bernard
GIVEN NAME MIDDLE INITIAL OR NAME FAMILY (OR LAST NAME)
Citizenship U.S.A.
Residence 2518 Lindenwood Drive
Wexford, Pennsylvania 15090

Fourth applicant, if any

Daniel C. Heckmann
GIVEN NAME MIDDLE INITIAL OR NAME FAMILY (OR LAST NAME)
Citizenship U.S.A.
Residence 4889 East Willock Road
Pittsburgh, Pennsylvania 15227

Fifth applicant, (if any)

Sam E. Kinney, Jr.
GIVEN NAME MIDDLE INITIAL OR NAME FAMILY (OR LAST NAME)
Citizenship U.S.A.
Residence 314 Maple Lane
Sewickley, Pennsylvania 15143

Sixth applicant, (if any)

Glen T. Meakem
GIVEN NAME MIDDLE INITIAL OR NAME FAMILY (OR LAST NAME)
Citizenship U.S.A.
Residence 703 Cochran Street
Sewickley, Pennsylvania 15143

Seventh applicant:

Vincent F. Rago
GIVEN NAME MIDDLE INITIAL OR NAME FAMILY (OR LAST NAME)
Citizenship U.S.A.
Residence 15 Roxbury Road
Pittsburgh, Pennsylvania 15221

Eighth applicant, (if any)

Tason Reneau
GIVEN NAME MIDDLE INITIAL OR NAME FAMILY (OR LAST NAME)
Citizenship U.S.A.
Residence 403 Marlborough Street
Boston, Massachusetts 02115

Ninth applicant, (if any)

Frederick W. Roberts
GIVEN NAME MIDDLE INITIAL OR NAME FAMILY (OR LAST NAME)
Citizenship U.S.A.
Residence 5 Grandview Avenue, Apt. 803
Pittsburgh, Pennsylvania 15221

Tenth applicant, if any

William D. Rupp
GIVEN NAME MIDDLE INITIAL OR NAME FAMILY (OR LAST NAME)
Citizenship U.S.A.
Residence 2151 Cayuga Drive
Pittsburgh, Pennsylvania 15239

Eleventh applicant, (if any)

Robert G. Stevens
GIVEN NAME MIDDLE INITIAL OR NAME FAMILY (OR LAST NAME)
Citizenship U.S.A.
Residence 5518 Ellsworth Avenue, Apt. 1
Pittsburgh, Pennsylvania 15232

applicant, (if any)

GIVEN NAME MIDDLE INITIAL OR NAME FAMILY (OR LAST NAME)
Citizenship _____
Residence _____

- ☐ Applicant is not the inventor and applicant's authority (§§ 1.42, 1.43 and 1.47) to apply for the patent on behalf of the inventor is as follows:

2. Correspondence information

NOTE: 37 C.F.R. § 1.76(b)(2): "(2) Correspondence information. This information includes the correspondence address, which may be indicated by reference to a customer number, to which correspondence is to be directed (see § 1.33(a))."

Correspondence for this application should be addressed as follows:

Name: Daniel H. Golub

Address: Morgan, Lewis & Bockius LLP
1701 Market Street, Philadelphia, PA 19103

☐ Customer No.: _____

3. Application information.

NOTE: 37 C.F.R. § 1.76(b)(3): "Application information. This information includes the title of the invention, a suggested classification, by class and subclass, the Technology Center to which the subject matter of the invention is assigned, the total number of drawing sheets, a suggested drawing figure for publication (in a nonprovisional application), any docket number assigned to the application, the type of application (e.g., utility, plant, design, reissue, provisional), whether the application discloses any significant part of the subject matter of an application under a secrecy order pursuant to § 5.2 of this chapter (see § 5.2(c)), and, for plant applications, the Latin name of the genus and species of the plant claimed, as well as the variety denomination. The suggested classification and Technology Center information should be supplied for provisional applications whether or not claims are present. If claims are not present in a provisional application, the suggested classification and Technology Center should be based upon the disclosure."

Title of Invention: Method and System for Conducting Electronic Auctions

Docket number assigned to this application: 46700-5004-10

Suggested Classification: Class: _____

Subclass: _____

Technology Center to which subject matter is assigned: _____

NOTE: "The suggested classification and Technology Center information should be supplied for provisional applications whether or not claims are present. If claims are not present in a provisional application, the suggested classification and Technology Center should be based upon the disclosure." 37 C.F.R. § 1.76(b)(3).

Total number of drawing sheets:

15

Type of application:

☒ utility

☒ application is to be published

Suggested drawing figure for publication: 13

☐ application is not to be published

☐ plant

☐ Latin names of the genus

species

of plant being claimed.

☐ design

☐ reissue

☐ provisional

Secrecy order under § 5.2:

This application

☒ does not disclose

☐ discloses a significant part of the

subject matter of an application which is under a secrecy order pursuant to § 5.2.

4. Representative information

NOTE: 37 C.F.R. § 1.76(b)(4) states: "Representative information. This information includes the registration number of each practitioner having a power of attorney or authorization of agent in the application (preferably by reference to a customer number). Providing this information in the application data sheet does **not** constitute a power of attorney or authorization of agent in the application (see § 1.34(b))." (Emphasis added).

The following have a power of attorney or authorization of agent in this application:

Name of attorney (agent): Daniel H. Golub

Address: Morgan, Lewis & Bockius LLP

1701 Market Street, Philadelphia, PA 19103

Customer No.: _____

5. Domestic Priority information

NOTE: "Domestic priority information. This information includes the application number, the filing date, the status (including patent number if available), and relationship of each application for which a benefit is claimed under 35 U.S.C. 119(e), 120, 121, or 365(c). Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and § 1.78(a)(2) or § 1.78(a)(4), and need not otherwise be made part of the specification." 37 C.F.R. § 1.76(b)(5).

☒ Domestic priority for this application is claimed as follows:

☐ 35 U.S.C. § 119(e): Application No.: _____

Filed: _____

Status: _____

Relationship: _____

- ☐ 35 U.S.C. § 120: Application No.: 09/311,555
Filed: 05/14/99
Status: Pending
Relationship: Parent
- ☐ 35 U.S.C. § 121: Application No.: _____
Filed: _____
Status: _____
Relationship: _____
- ☐ 35 U.S.C. § 365(c): Application No.: _____
Filed: _____
Status: _____
Relationship: _____

6. Foreign priority information

NOTE: "Foreign priority information. This information includes the application number, country, and filing date of each foreign application for which priority is claimed, as well as any foreign application having a filing date before that of the application for which priority is claimed. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and § 1.55(a)." 37 C.F.R. § 1.76(b)(6).

WARNING: Section 1.55(a) provides (1) that in an original application filed under 35 U.S.C. 111(a) (other than a design application) the claim for priority must be presented during the pendency of the application, and within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior foreign application; (2) in an application that entered the national stage from an international application after compliance with 36 U.S.C. 371, the claim for priority must be made during the pendency of the application and within the time limit set forth in the PCT and the Regulations under the PCT.

- ☐ Foreign priority is claimed for this application as follows:

Country: _____
Application No.: _____
Filing date: _____
Status: _____

Foreign application having a filing date before that of the above application for which priority is claimed.

- ☐ None
- ☐ Country: _____
Application No.: _____
Filing date: _____
Status: _____

7. Assignee information

NOTE: 37 C.F.R. § 1.76(b) "Assignee information. This information includes the name (either person or juristic entity) and address of the assignee of the entire right, title, and interest in an application. Providing this information in the application data sheet does not substitute for compliance with any requirement of part 3 of this chapter to have an assignment recorded by the Office."

NOTE: 37 C.F.R. § 1.215(b): "(b) If applicant wants the patent application publication to include assignee information, the applicant must include the assignee information on the application transmittal sheet or the application data sheet (§ 1.76). Assignee information may not be included on the patent application publication unless this information is provided on the application transmittal sheet or application data sheet included with the application on filing. Providing this information on the application transmittal sheet or the application data sheet does not substitute for compliance with any requirement of part 3 of this chapter to have an assignment recorded by the Office."

The assignee(s) of this application is/are:

Name of assignee: FreeMarkets OnLine, Inc.

Address of assignee: One Oliver Plaza
210 Sixth Avenue, Philadelphia, PA 15222

Extent of interest of assignee in application: Entire right, title and interest

Reg. No. 33,701

Tel. No. (215) 963-5055

Customer No.


Signature of Practitioner

Daniel H. Golub
(type or print name of practitioner)

1701 Market Street
P.O. Address

Philadelphia, PA 19103

(Application Data Sheet [4-1.1]—page ~~6~~ of ~~6~~)

77